

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: MAXIM INTEGRATED PRODUCTS, INC., MDL NO. 2354 ) Master Docket  
This Document Relates to: 2:12-CV-1538-JFC ) Misc. No. 12-244  
 ) MDL No. 2354  
 )  
BMO HARRIS BANK NATIONAL ASSOCIATION, )  
Plaintiff and Counterclaim Defendant, ) C.A. No. 2:12-cv-1538-JFC  
v. )  
MAXIM INTEGRATED PRODUCTS, INC., )  
Defendant and Counterclaim Plaintiff. )  
MAXIM INTEGRATED PRODUCTS, INC., )  
Counterclaim Plaintiff, )  
v. )  
BANK OF MONTREAL AND BMO FINANCIAL CORP., )  
Counterclaim Defendants. )

**MAXIM INTEGRATED PRODUCTS, INC.'S NOTICE OF NON-OPPOSITION TO  
BANK OF MONTREAL'S MOTION FOR FORMAL ORDER**

With respect to Bank of Montreal's motion for a formal order (Dkt. 75), Maxim Integrated Products, Inc. ("Maxim") respectfully notifies the Court as follows: In view of Bank of Montreal's representations to the Court that "BMO Canada does not provide or offer retail banking or related mobile banking applications in the United States[,]'" (Dkt. 65 at 2), Maxim therefore does not oppose Bank of Montreal's motion for a formal order.

Maxim's non-opposition is neither a concession as to the accuracy of Bank of Montreal's statements nor as to the validity of any of Maxim's allegations against Bank of Montreal. Maxim expressly reserves all rights should BMO Harris Bank N.A. or BMO Financial Corp. later attempt to reverse positions and argue that Bank of Montreal is responsible for all or part of the accused activities currently attributed to BMO Harris Bank N.A. or BMO Financial Corp.

Dated: August 27, 2013

Respectfully submitted,

/s/ William P. Nelson

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**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing to be served via the Western District of Pennsylvania's ECF system this 27th day of August 2013, on all counsel of record.

/s/ *William P. Nelson*  
William P. Nelson